

Regional Water Quality Control Board
North Coast Region
Executive Officer's Summary Report
April 15, 2021

ITEM: 6

SUBJECT: Update on State Water Resources Control Board General Waste Discharge Requirements for Winery Process Water Treatment Systems (Winery Order) (Charles Reed, Laurel Warddrip – State Water Board)

BOARD ACTION: This item is an informational item only; no action will be taken by the Regional Water Board.

BACKGROUND: On January 20, 2021, the State Water Resources Control Board (State Water Board) adopted the General Waste Discharge Requirements (WDRs) for Winery Process Water (General Order). The adopted General Order is designed to streamline statewide permitting of winery process water discharges to land, achieve statewide consistency, and allows regional water boards to focus their resources on managing backlogged individual orders and General Order compliance.

The General Order classifies authorized Dischargers into risk-based regulatory tiers (see Supporting Document 3) based on the permitted annual facility process water design flow, which is the total volume of process water that may be discharged from the winery, including process water generated from outdoor processing areas, and measured prior to treatment (e.g., before discharged to a pond, land application area (LAA), or subsurface disposal system). General Order requirements, including effluent limitations, loading limits, siting and operational requirements, monitoring and reporting requirements, and schedules to comply vary depending on the regulatory tier, with the most stringent requirements applied to Tier 4, the highest risk tier, producing process water flows from 1 million to 15 million gallons per year. The General Order also includes a provision that exempts wineries producing less than 10,000 gallons of process water per year from applying for coverage, provided the winery implements appropriate general practices to manage their process water.

Existing wineries, except those with individual WDRs, general WDRs, or conditional waivers of WDRs, are required to seek coverage under the General Order by January 20, 2024. Existing wineries that have WDRs or Waiver of WDRs coverage may continue discharging under that authority until those orders expire or come up for renewal. New wineries are required to seek coverage under the General Order at least 180 days prior to commencement of operations.

The General Order is intended to be the primary permitting mechanism for wineries in the state and regional water boards are to enroll all eligible wineries. A regional water board may issue individual WDRs for a winery if it is determined that, due to site-

specific conditions, coverage under the General Order would not be protective of water quality.

At the January 20, 2021 Board meeting, the State Water Board heard public comments on the proposed General Order. Among the most significant comments were requests for State Water Board staff to reconsider the structure and definition of the volume-based tiers, the cost of construction upgrades anticipated by wineries to comply with technical requirements, the cost of routine effluent and groundwater monitoring, and the cost of preparation of special reports and studies. At the time of General Order adoption, the State Water Board directed staff to investigate revisions to the cutoff between the regulatory Tier 3 and 4 and Tier 4 groundwater monitoring exemption criteria for ponds. Staff are to develop and provide a recommendation to the State Water Board members for consideration on whether the adopted General Order should be revised.

In preparation for winery operator enrollment, State Water Board staff are working to have the adopted General Order posted on its website and on the development and adoption of a fee schedule. The General Order roll out includes development of tools to promote a streamlined enrollment process such as an internal implementation plan to clarify General Order enrollment eligibility, compliance schedules, and technical requirements; an electronic enrollment process including the Notice of Intent; and improved webpage accessibility.

State Water Board staff are holding publicly noticed virtual webinars focused on General Order enrollment eligibility, compliance schedules, and technical requirements.

State Water Board staff virtual public webinars (see Supporting Document 1) are scheduled as follows:

Workshop #1 - Thursday, April 8, 2021 5:30 p.m.-7:00 p.m.

Workshop #2 - Wednesday, April 21, 2021 12:00 p.m.-1:30 p.m.

Workshop #3 - Friday, April 23, 2021 12:00 p.m.-1:30 p.m.

On March 15, 2021, State Water Board Fee Unit staff held a public fee workshop (see Supporting Document 2) and set a comment deadline of April 5, 2021. Staff are holding a second stakeholder fee workshop the last week of April prior to the proposed fee schedule going to the State Water Board for possible adoption the summer 2021.

DISCUSSION: The purpose of this informational item is to provide an update on the Statewide General Waste Discharge Requirements for Winery Process Water.

Following the presentations by Regional and State Water Board staff at the April 15 Regional Water Board meeting, staff welcome comments from the public and Board members and will be available to answer questions.

RECOMMENDATION: Not Applicable

SUPPORTING DOCUMENTS:

1. Virtual Workshop Flyer
2. March 15, 2021 Fee Stakeholder Meeting Handout
3. Tier Requirement Infographic

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